

**CITY OF
GLOUCESTER
CONSERVATION COMMISSION**

MINUTES

WEDNESDAY, November 2, 2016 – 6:30 PM

City Hall, 2nd Floor, Kyrouz

Auditorium

Robert Gulla Chair

Members Present: AnnJo Jackson, Co Chair, Linda Charpentier, Helene Kwasie, John Feener, Rob Gulla- [Absent](#), Barry Gradwohl- [Absent](#), Bill Cook- [Absent](#)
Staff: Ken Whittaker

I. ADMINISTRATIVE BRIEFING

15 minutes, review of amended, updated or final information, status reviews, modifications, signing decisions, etc.

NOI: 211 East Main Street #28-2491

The Commission discussed procedures for pile cutting above flood water line. There is approval from the Harbormaster and the Shellfish Warden. Both are in favor of pulling of the pilings and making site repairs.

Sherri McCarthy, 7 Madison Ave

Ms. McCarthy stated that 10 piles will need to be pulled and replaced and the rest can be cut off at the mudline. The pilings that need to be pulled will be done at different times over the course of several years.

Motion to approve NOI: 211 East Main Street #28-2491 was made by Ms. Charpentier, seconded by Ms. Kwasie and unanimously approved.

II. PUBLIC COMMENT-

**Jonathan Pope-School Committee and Conservation Land discussion
16 Marble Street, Gloucester**

Mr. Pope updated the Commission for plans regarding new elementary schools. It may involve the use of conservation land. East Gloucester and Veterans schools will be consolidated as well as Beeman and Plum Cove. A site is

needed for the East Gloucester and Veterans project. 14 acres are needed and the area off Marble Road in East Gloucester is under consideration. Some of this is conservation land under the management of the Commission.

III. MINUTES REVIEW AND APPROVAL - **September 21, 2016 and October 5, 2016**
IV.

Motion to approve the minutes of September 21, 2016 and October 5, 2016 was made by Ms. Charpentier, seconded by Ms. Kwasie and unanimously approved.

Block 1: Continued Projects

- A. ANRAD: 30, 48 and 50 Atlantic Avenue #282413 (Map 257, Lots 167, 202 and 201) - Submitted by Francis Goodhue for Abbreviated Notice of Resource Area, coastal wetland. Discussion/presentation of recent site test pit data.**

Bill Manuell- Wetlands and Land Management

Mr. Whittaker stated that a letter was submitted late today with new information.

Mr. Manuell stated he was reluctant to have discussion on this matter because of the absence of a quorum and requested a continuance to November 16, 2016.

Public Comment:

Elizabeth Bayle, 53 Atlantic Ave

Ms. Bayle stated that she lives across the street of the property and is concerned of the stark differences between the Epsilon report and the material that has emerged from the test pits and requested that the Commission will go for an independent peer review.

Michael McMahon

Mr. McMahon asked if the public hearing will remain open. It was confirmed that it will remain open.

Motion to continue ANRAD: 30, 48 and 50 Atlantic Avenue #282413 (Map 257, Lots 167, 202 and 201) to November 16, 2016 was made by Ms. Kwasie, seconded by Ms. Charpentier and unanimously approved.

- B. Request to Amend NOI: 124 Wheeler Street #282441 (Map 99, Lot 43)**
Submitted by Stephen Arena request to raise approved single family home

in in Riverfront area – **Applicant requests continuance to November 16, 2016 meeting.**

Motion to continue request to Amend NOI: 124 Wheeler Street #282441 (Map 99, Lot 43) to November 16, 2016 was made by Ms. Kwasie, seconded by Ms. Charpentier and unanimously approved.

- C. RDA 1503: 9 Cardinal Lane (Map 165, Lot 25)** – Submitted by Meakin and Tucker Bennett to construct driveway in buffer zone.

Mr. Whittaker stated that the applicant received a call from the engineer today and it was determined that it is a coastal bank issue on the property. The project will therefore have to be filed as an NOI. The RDA should be withdrawn and resubmitted as an NOI.

Warren Morrison, 14 Briarwood Drive, NH

Mr. Morrison stated that the RDA is being withdrawn and the project will be resubmitted as an NOI, with the abutter mailing formalities to be addressed.

Public comment: None

Motion to continue RDA 1503, 9 Cardinal Lane (Map 165, Lot 25) to November 16, 2016 was made by Ms. Charpentier, seconded by Ms. Kwasie and unanimously approved.

- D. NOI: 30 Horton Street/24 Wonson Street #28-2490 (Map 128, Lot 9)** – Submitted by Peter Lafata to construct home in coastal bank buffer zone.

Attorney Joel Favazza- Seaside Legal Solutions- 111 Main St Gloucester

Attorney Favazza stated that a detailed planting plan for mitigation and raingarden has been submitted. 4 rain barrels are proposed and there is no blasting proposed with the plan. The mitigation plan is very hardy to protect the coastal and buffer.

Mr. Feener stated that the plantings have been native. If the Sumac disappears in a year it will need to be addressed. Mr. Feener asked for the numbers regarding the capacity of the cistern and rain barrels.

Mr. Favazza stated that the Applicant will agree to substitute native plantings as requested and will attempt condition of viability of at least two growing seasons.

Public Comment:

Attorney Meredith Fine- 46 Middle St. representing Greta Bagshaw

Attorney Fine stated concern with the planting plan. It seems to have changed during the Commission discussion. The abutter would like an opportunity for a professional to review a planting. The Bagshaws have found someone to review the plan and request that the meeting be continued so the review can be done.

Ms. Jackson stated that the Commission does prescribe the actual plants as long as they are natives. Planting plans can be modified as the Commission sees fit.

Mr. Feener requested a continuation to get the engineering numbers and to assess how well the project deals with runoff. He also suggested having a pruning plan in place.

Greta Bagshaw- 2 Clarendon St

Ms. Bagshaw stated several concerns with the project which included: 30 % of lot being covered, the driveway being at a downward slope (a pervious driveway was suggested) no roof line has been submitted to understand the extent of the runoff. She stated that if there is a failure there is a lobsterpot field which would be impacted.

Motion to continue NOI: 30 Horton Street/24 Wonson Street #28-2490 (Map 128, Lot 9) to November 16, 2016 was made by Ms. Kwasié, seconded by Mr. Feener and unanimously approved.

V. Block II: New Projects

NOI: 8 Juniper Road #28..... (Map 96, Lot 10) – Submitted by Robert Goodman to build a deck in Riverfront Area.

Lauren French-183 East Main St

Ms. French stated the deck will be on the back of the property. The living area is on the 2nd floor and the deck will be on the same level. It will be 12' x 40' with 7 posts, natural wood decking with ¼ inch slots. Gravel will be underneath the deck.

Mr. Feener requested that the gravel be extended across the front of the driveway, 3 feet wide and 16" deep. The applicant was advised to come back before the Commission if steps from the new deck are contemplated. Location of the dumpsters should be marked on the plan.

The riverfront analysis was accepted.

Public Comment: None

Motion to accept the Alternative Analysis was made by Mr. Feener, seconded by Ms. Charpentier and unanimously approved.

Motion to approve NOI: 8 Juniper Road #28..... (Map 96, Lot 10) was made by Mr. Feener, seconded by Ms. Charpentier and unanimously approved.

- B. NOI: 39 & 41 River Road #28-2492 (Map 118, Lots 6 & 5) –**
Submitted by Campbell Edlund to repair existing seawalls and fence in Riverfront Area.

Dan Ottenheimer, Mill River Consulting

Mr. Ottenheimer stated that the walls have 3 separate chapter 91 licenses. A structural engineer is involved. The work will be done will by hand or by using an excavator working from above. Where work is done drop cloth will be laid down and removed each day. DEP has no comments. There is a request to have a perpetual maintenance approval for any hand maintained repair work.

Mr. Whittaker indicated that “template conditions” are available to allow for perpetual approval for minor seawall repairs.

The riverfront analysis was accepted.

Motion to approve the Alternative Analysis was made by Ms. Charpentier, seconded by Mr. Feener and unanimously approved.

Ms. Jackson requested a report in 5 years on the status of the seawall.

Mr. Feener stated that any maintenance work should be treated as a separate letter permit or just have the NOI work stand for the 3 years and then have the client come back at that time for the Commission’s protocol for future maintenance repair work. It was decided that for these repairs after three years could be addressed by letter permit incorporating standard seawall conditons.

Public comment: None

Motion to approve NOI 39 & 41 River Road #28-2492 (Map 118, Lots 6 & 5) was made by Mr. Feener, seconded by Ms. Kwasi and unanimously approved.

- C. NOI: 95 Riverview Road #28-2493 (Map 93, Lot 3)** – Submitted by John Adam to remove underground tank in Riverfront Area.

Bill Manuell- Wetlands and Land management

Mr. Manuell reported that the previous owner filled a formerly used tank with cement and left it in the ground. It is in buffer to salt marsh and in Riverfront Area. The work will be done under a licensed LSP and the fire department. The filled tank will be removed and placed in the roll-off container. If anything is discovered the LSP will stabilize the site and then return to the Commission.

Mr. Feener stated he believes this meets the criteria of redevelopment. There is no need for an Alternative Analysis.

Public comment: None

Motion to approve NOI 95 Riverview Road #28-2493 (Map 93, Lot 3) was made by Ms. Charpentier, seconded by Ms. Kwasi and unanimously approved.

- D. NOI: 480A Washington Street #28-2494 (Map 110, Lot 33)** – Submitted by Stefania Merone-Holland to raze and rebuild home/build gangway & float in Riverfront Area.

Jay Jarose, 3 Mill St, Manchester

The entire property is in riverfront area. The current home is 750 s.f and will be rebuilt and expanded to 1140 s.f. There will be a new dock on site and 2:1 mitigation is proposed.

Mr. Feener requested a site walk.

Ms. Jackson read the Alternative Analysis.

Mr. Feener did not accept the Alternative Analysis. He stated that the dock is bigger than what the Commission usually approves, although

Mr. Whittaker indicated that the dock square footage is the same as the Commission's "standard" 200 square foot dock.

Ms. Jackson suggested that the alternative analysis should include the fact that the house needs to be replaced and will be one floor living.

The Commission agreed that the Alternative Analysis needs to be refined.

Public Comment:

Mark Joseph, 480 Washington St

Mr. Joseph stated that he lives next to the property where there is a mud mooring and is concerned of the impediment of getting out. He asked how many boats will be kept on the dock.

Mr. Feener asked for the Harbormaster comments and asked for an expanded Riverfront Analysis for the house and dock.

Judy Peterson 482 Washington St

Ms. Peterson stated concern of an existing large pine and a potential vernal pool. She opined that the gangway and float are oversized. It was noted that the dumpster must be covered when not in active use.

Motion to continue NOI: 480A Washington Street #28-2494 (Map 110, Lot 33) to November 16, 2016 was made by Ms. Kwasie, seconded by Ms. Charpentier and unanimously approved.

VI. CERTIFICATES OF COMPLIANCE

28-2282 – 8 Sea Rule Lane
650 Washington St

Motion to approve the Certificates of Compliance for 28-2282 – 8 Sea Rule Lane and 650 Washington St was made by Ms. Kwasie, seconded by Ms. Charpentier and unanimously approved.